

STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS
FOR THE CITY OF WEST ST. PAUL

In the Matter of the Civil Penalty
Assessed Against:

**1042 20th Avenue N
South St. Paul, MN 55075**

Issued to:

Dennis A. Greger,

Respondent.

**FINDINGS OF FACT,
CONCLUSIONS OF LAW
AND ORDER**

The above entitled matter came on for hearing before Administrative Law Judge Manuel J. Cervantes on Thursday, August 20, 2009, at 600 North Robert Street, St. Paul, Minnesota. The City of West St. Paul was represented by Assistant City Manager Susanna Wilson and Code Enforcement Inspector Sheen Yang. The Respondent was represented by ☒ Self ☐ Attorney.

FINDINGS OF FACT

The Respondent has been issued the following charge(s) for which he received proper notice: 20090020-1 dated July 6, 2009 for violation of West St. Paul City Code 435. Unlicensed Rental Property. Renting the property at 41-43 Kraft Road East, West St. Paul, Minnesota, without a rental license and was the proper amount for a civil penalty imposed.

☒ After a hearing on this matter, the Administrative Law Judge adopts the facts as submitted by the City, as set forth in the allegations in the Notice and Order for Hearing issued on July 29, 2009.

Based upon the foregoing Findings of Fact, the Administrative Law Judge makes the following:

CONCLUSIONS OF LAW

1. The City and the Office of Administrative Hearings have subject matter jurisdiction pursuant to West St. Paul City Code § 120.13.

2. The City has complied with all relevant substantive and procedural requirements of Minnesota Statutes, rules and West St. Paul City Code.

3. The Respondent was given timely and proper notice of the hearing in this matter.

4. The City has demonstrated by a preponderance of evidence that Respondent ☒has ☐has not violated the alleged violation(s), to wit, that Respondent was required to license his property at 41-43 Kraft Road East in West St. Paul, but was not when he was cited on July 6, 2009.

5. The Administrative Law Judge has considered the duration, frequency of reoccurrence, seriousness, and history of the violation; Respondent's conduct after the issuance of the Notice and Order for Hearing and good faith efforts to comply; the impact of the violation on the community; the Respondent's record of prior City Code violation(s) and other factors appropriate to a just and fair result and;

6. An Order is in the public interest.

Based on the foregoing, the Administrative Law Judge makes the following:

ORDER

<input checked="" type="checkbox"/>	Respondent shall pay to the City of West St. Paul a civil penalty of \$500.00, plus costs of \$100.00 payable within 30 days of this Order.
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NOTICE

Pursuant to West St. Paul City Code § 120.15 and Minn. Stat. ch. 14, this Order is the final decision in this case. Any person aggrieved by this decision may seek judicial review pursuant to Minn. Stat. §§ 14.63 to 14.69.

Dated: August 20, 2009

s/Manuel J. Cervantes
MANUEL J. CERVANTES
Administrative Law Judge

Reported: Digitally Recorded